

PILLSBURY WINTHROP SHAW PITTMAN LLP

Andrew M. Troop

Andrew V. Alfano

31 West 52nd Street

New York, New York 10019

Email: andrew.troop@pillsburylaw.com

andrew.alfano@pillsburylaw.com

Jason S. Sharp, admitted *pro hac vice*

1200 Seventeenth Street NW

Washington, DC 20036

Email: jason.sharp@pillsburylaw.com

Counsel to the Ad Hoc Group of Non-Consenting States

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

PURDUE PHARMA, L.P., *et al.*,¹

Debtors.

)
) Chapter 11
)
) Case No. 19-23649 (RDD)
)
) (Jointly Administered)
)

**THE AD HOC GROUP OF NON-CONSENTING STATES'
STATEMENT REGARDING THE MOTION TO INTERVENE
AND UNSEAL JUDICIAL RECORDS BY DOW JONES & COMPANY, INC.,
BOSTON GLOBE MEDIA PARTNERS, LLC, AND REUTERS NEWS & MEDIA, INC.**

¹ The debtors in these chapter 11 cases along with the last four digits of their federal tax identification numbers, are Purdue Pharma Manufacturing L.P. (3821), Purdue Pharma Inc. (7486), Purdue Transdermal Technologies K.P. (1868), Purdue Pharmaceuticals L.P. (0034), Imbrium Therapeutics L.P. (8810), Adlon Therapeutics L.P. (6745), Greenfield BioVentures L.P. (6150), Seven Seas Hill Corp. (4591), Ophir Green Corp. (4594), Purdue Pharma of Puerto Rico (3925), Avrio Health L.P. (4140), Purdue Pharmaceutical Products L.P. (3902), Purdue Neuroscience Company (4712), Nayatt Cove Lifescience Inc. (7805), Button Land L.P. (6166), Rhodes Associates L.P. (N/A), Paul Land Inc. (7425), Quidnick Land L.P. (7584), Rhodes Pharmaceuticals L.P. (6166), Rhodes Technologies (7143), UDF LP (0495), SVC Pharma LP (5717), and SVC Pharma Inc. (4014) (collectively, the “Debtors” or “Purdue”). The Debtors’ principal offices are at One Stamford Forum, 201 Tresser Boulevard, Stamford, CT 06901.

To the Honorable Robert D. Drain, United States Bankruptcy Judge:

The Ad Hoc Group of Non-Consenting States (the “Non-Consenting States”)² submits this Statement (the “Statement”) regarding the *Motion to Intervene and Unseal Judicial Records by Dow Jones & Company, Inc. Boston Globe Media Partners, LLC, and Reuters News & Media, Inc.* [Docket No. 2022] (the “Motion”)³ filed by the Media Intervenors and respectfully states as follows:

1. Transparency is critical to the chapter 11 process generally. Indeed, the public’s right to access papers filed in bankruptcy cases has been codified in the Bankruptcy Code.⁴ Transparency is particularly critical in these chapter 11 cases because Purdue plans to seek extraordinary third-party releases from liability for state law enforcement claims against the Sacklers and other non-debtors for their personal involvement in causing the country’s opioid crisis and hundreds of thousands of deaths.

2. The Non-Consenting States have long advocated for the release of Purdue’s and the Sacklers’ documents to ensure that their roles in perpetuating the opioid crisis are known to the public. This Court too has emphasized the importance of the public’s right to know what occurs in these cases.⁵ The more information is made available publicly, the more understandable any result in these cases will be.

3. The Non-Consenting States submit that the public’s access to unredacted court filings in these cases is paramount. Accordingly, the Non-Consenting States support the Motion

² California, Colorado, Connecticut, Delaware, the District of Columbia, Hawaii, Idaho, Illinois, Iowa, Maine, Maryland, Massachusetts, Minnesota, Nevada, New Hampshire, New Jersey, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia, Washington, and Wisconsin.

³ Capitalized terms used in this Statement that are not otherwise defined have the meanings ascribed to them in the Motion.

⁴ See 11 U.S.C. § 107 (with limited exceptions, papers filed in bankruptcy cases “are public records”).

⁵ See Oct. 11, 2019 Hr’g Tr. 64:25-65:6 (“It is observed by many of the objectors in various ways and by those who wrote letters that there’s a legitimate public interest in knowing what happened with Purdue. I can see that that

and request that the Court order, at minimum, that the pleadings and non-privileged exhibits referenced in the Motion be re-filed without sealing and redactions, except as to the most sensitive personally identifiable information, information regarding minors, or other commercial information consistent with Bankruptcy Code section 107.

CONCLUSION

For these reasons, the Court should grant the Motion within the parameters described in this Statement.

Dated: December 4, 2020
New York, New York

Respectfully submitted,

PILLSBURY WINTHROP SHAW PITTMAN LLP

By: /s/ Andrew M. Troop
Andrew M. Troop
Andrew V. Alfano
31 West 52nd Street
New York, NY 10019
Telephone: (212) 858-1000
Email: andrew.troop@pillsburylaw.com
andrew.alfano@pillsburylaw.com

Jason S. Sharp, admitted *pro hac vice*
1200 17th Street NW
Washington, D.C. 20036
Telephone: (202) 663-8019
Email: jason.sharp@pillsburylaw.com

Counsel to the Ad Hoc Group of Non-Consenting States

interest would be furthered by a trial. I can also see that it would be furthered by a process that had an objective inquiry..."); *see also* Oct. 11, 2019 Hr'g Tr. 115:11-15 ("And I honestly think that you can balance the public's desire, legitimate, and their representative's desire, to know what happened so that people in the future, including legislatures, can change their behavior, or be forced to change their behavior.")

CERTIFICATE OF SERVICE

I, Andrew V. Alfano, hereby certify that, on December 4, 2020, I caused true and correct copies of the foregoing document to be served (i) by the Court's Case Management/Electronic Case File (CM/ECF) System to all parties who are deemed to have consented to electronic service; (ii) by email upon the parties who provided email addresses set forth in the Master Service List maintained by the Debtors in respect of these chapter 11 cases; and (iii) by email upon the chambers of the Honorable Judge Robert D. Drain (rdd.Chambers@nysb.uscourts.gov) and the Office of the United States Trustee for the Southern District of New York (Attn: Paul K. Schwartzberg, paul.schwartzberg@usdoj.gov).

/s/ Andrew V. Alfano
Andrew V. Alfano